



NATIONAL MARINE SANCTUARIES

Hawaiian Islands Humpback Whale National Marine Sanctuary Management Plan

August 2002

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Ocean Service
National Marine Sanctuary Program





About this Document

This document is the revised management plan for the Hawaiian Islands Humpback Whale National Marine Sanctuary. This plan will serve as the primary management document of the Sanctuary for the next five years.

Comments or questions on this management plan should be directed to:

Naomi Mcintosh Acting Manager Hawaiian Islands Humpback Whale NMS 6700 Kalanianaole Highway, Suite 104 Honolulu, Hawai'i 96825 (808) 397-2651 naomi.mcintosh@noaa.gov





Hawaiian Islands Humpback Whale National Marine Sanctuary Management Plan

August 2002

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Ocean Service
National Marine Sanctuary Program





Table of Contents

Executive Summary	7
Introduction History Sanctuary Purposes Purposes of the Management Plan Original Management Plan Sanctuary Regulations Revised Management Plan	11 11 13 13 14
Summary of the State of the Sanctuary Report	15
Sanctuary Description Environment Boundary Geology Climate and Oceanography Marine Ecosystems Human Use and Economic Value Sanctuary Purpose Sanctuary Resources	21 21 22 22 23 24 24
Sanctuary Vision, Goals, and Objectives	27
Action Plans Introduction Natural Resource Protection (NRP) Action Plan Education and Outreach (EO) Action Plan Research and Monitoring (RM) Action Plan Cultural Resource Enhancement (CRE) Action Plan Administration (AD) Action Plan	30 36 56 69 81
Appendices Appendix 1: Compact Agreement/Memorandum of Understanding Appendix 2: Final Rule for the HIHWNMS Appendix 3: Environmental Assessment Appendix 4: Response to Comments Appendix 5: Bibliography Appendix 6: Hawaiian Glossary Appendix 7: Acronyms	106 118 132 140 151 152
List of Figures Figure 1: Map of the HIHWNMS Figure 2: Timeframe of NRP Strategies and Activities Figure 3: Flowchart of Process to Consider Adding Resources	12 38 53



Table of Contents

Figure 4: Timeframe of EO Strategies and Activities	58
Figure 5: Timeframe of RM Strategies and Activities	71
Figure 6: Timeframe of CRE Strategies and Activities	83
Figure 7: Timeframe of AD Strategies and Activities	92
List of Tables	
Table 1: Summary of Action Plan Strategies	10
Table 2: Matrix of Strategies, with Goals and Objectives	28
Table 3: Summary of Estimated Costs	32
Table 4: Summary of NRP Strategies and Activities	37
Table 5: Costs of NRP Strategies and Activities	39
Table 6: Summary of EO Strategies and Activities	57
Table 7: Costs of EO Strategies and Activities	59
Table 8: Summary of RM Strategies and Activities	70
Table 9: Costs of RM Strategies and Activities	72
Table 10: Summary of CRE Strategies and Activities	82
Table 11: Costs of CRE Strategies and Activities	84
Table 12: Summary of AD Strategies and Activities	91
Table 13: Costs of AD Strategies and Activities	93







This page intentionally left blank.

Executive Summary

Current Status

This document is the revised management plan for the Hawaiian Islands Humpback Whale National Marine Sanctuary (HIHWNMS), resulting from a recent five-year review of the Sanctuary since the implementation of its final regulations in 1997. This plan has been prepared by the National Oceanic and Atmospheric Administration (NOAA), in cooperation with the State of Hawai'i, and will serve as the primary management document of the Sanctuary for the next five years.

History

The Hawaiian Islands Humpback Whale National Marine Sanctuary was Congressionally designated by the Hawaiian Islands National Marine Sanctuary Act (HINMSA) on November 4, 1992 (Subtitle C of Public Law 102-587, the Oceans Act of 1992). On Friday, March 28, 1997, the final regulations were published in the *Federal Register* (62 FR 14799), and they and the final management plan became effective on June 2, 1997.

At the time of designation, NOAA made a commitment to the State of Hawai'i that five years after the management plan and regulations had become effective, NOAA, in consultation with the State of Hawai'i, would evaluate the progress made toward implementing the management plan, regulations, and goals for the Sanctuary. NOAA also agreed that after the evaluation was complete, NOAA would then resubmit the management plan and regulations in their entirety, as far as they effect State waters, to the Governor for his approval. This revised management plan is the result of the five-year evaluation and will be submitted to the Governor.

Original Management Plan

The specified requirements of the Sanctuary's original management plan were compatible with the overall Sanctuary management concept embodied in the NMSA, and its implementing regulations (15 CFR Part 922), which require that a management plan be prepared for each national marine sanctuary. The HINMSA required NOAA to comply with the National Marine Sanctuaries Act (NMSA) in developing the management plan and implementing regulations.

The original management plan defined actions tailored to specific issues affecting the Sanctuary. The plan recognized the need for facilitating human uses of the Sanctuary compatible with the primary purpose of protecting humpback whales and their habitat. Successful implementation of the original management plan required continuing cooperation and coordination among many Federal, State, and county agencies and representatives, as well as private organizations and individuals.

The original management plan was designed to provide guidance for management of the Sanctuary for the first five years of its operation. During this period, management initiatives generally fell into five fundamental program areas: resource protection, research and long-term monitoring, education and outreach, administration, and enforcement. In general, the management plan:

focused on Sanctuary goals and objectives, management responsibilities, and guidelines for the







resource protection, research, education, and administration programs of the Sanctuary; and
 established an administrative framework which addresses the need for cooperative and coordinating programs and activities with other Federal and State agencies, as well as private organizations and interested citizens to ensure effective management of the Sanctuary.

Revised Management Plan

In reviewing the original management plan in preparation for the five-year review by the National Marine Sanctuary Program (NMSP) and the State of Hawai'i, it became clear that although a completely rewritten management plan was not necessary, some restructuring and revising of the document would be beneficial to the Sanctuary. First, the Sanctuary has accomplished many of the tasks listed in the original management plan. Second, the goals and objectives originally outlined needed to be revised to reflect the current and future direction of the Sanctuary, and the recent amendment of the NMSA. Finally, the structure of the original management plan did not follow the formats developed in the last three years for ongoing management plan reviews at other Sanctuaries. Consequently, the NMSP and the State of Hawai'i decided to revise certain parts of the original management plan and reformat the document during the five-year review.

The revised management plan was written to support the Sanctuary's revised vision statement:

The Sanctuary works collaboratively to sustain a safe and healthy habitat for the North Pacific stock of humpback whales ($kohol\bar{a}$). As a community of ocean stewards, the Sanctuary strives to achieve a balance of appropriate uses, inspired care-taking, enlightened understanding, and effective education to ensure the continued presence of the $kohol\bar{a}$ for future generations. The Sanctuary endeavors to do this with harmony, hope, respect, and $aloha\ o\ ke\ kai$ (love of the sea).

The revised management plan will guide the operation of the Sanctuary for the next five years, helping the Sanctuary set budget and project priorities each year for the preparation of its annual operating plan. The annual operating plan is prepared by on-site and headquarters staff, and presents a more detailed description of how the Sanctuary will operate for that fiscal year. Timelines and annual estimated costs are presented in this revised management plan to assist staff in the development of their annual operating plan; assist the Sanctuary Advisory Council (SAC) in advising management on priority issues; and help the public to better understand the approximate timeframes and costs to carry out the strategies and activities presented throughout the plan.

The draft revised management plan was prepared by NOAA and the State of Hawai'i, and released for public review on March 19, 2002, for approximately 60 days (67 FR 12525). During that time, seven public meetings were held in the main Hawaiian Islands, on O'ahu, Kaua'i, Maui, two on Hawai'i (the Big Island), Läna'i, and Moloka'i. Approximately 70 people attended and over 300 comments were collected. During the same time period, approximately 40 written comments were received by email and regular mail. A synthesis of comments is available on the Sanctuary's website at www.hihwnms.nos.noaa.gov/planreview/ (please see Appendix 4 for a response to the comments received).



In response to staff, SAC, and public comments, a number of changes were made to produce this final revised management plan. A description detailing the public meeting process for the five-

Executive Summary

year management plan review has been added. In response to the overwhelming public comments received to protect additional resources and species, the process to include new species has been accelerated and better detailed. The intent to develop a cultural protocol to respond to strandings has been incorporated into Strategy CRE-2 *Nurture increased public awareness and appreciation of traditional Hawaiian values and practices related to ocean use.* Two new appendices, the Final Rule as published in the *Federal Register* on November 19, 1999, detailing the Sanctuary's boundaries and regulations, and the response to comments received, have been incorporated as Appendices 2 and 4 respectively. The remainder of changes were minor and include such information as updating partner lists and the inclusion of cost estimates.

The revised final management plan does not include any regulatory or boundary changes.

Action Plans

Five action plans are contained in this revised management plan:

- Natural Resource Protection
- Education and Outreach
- Research and Monitoring
- · Cultural Resource Enhancement
- Administration

Table 1 summarizes the strategies and activities in each action plan.







Table 1: Summary of Action Plan Strategies

Cultural Resource Enhancement

Action Plan	Strategies
Natural Resource Protection	NRP-1: Assess and clarify the Sanctuary's role in contingency plannin emergency response, and damage assessment activities. NRP-2: Enhance project and permit review procedures.

policies, and regulations.

	NRP-4: Reduce violations of Sanctuary regulations. NRP-5: Develop and implement a process that identifies and evaluates resources for possible inclusion in the Sanctuary.
Education and Outreach	EO-1: Assess, enhance, and implement existing education and outreach programs. EO-2: Develop and implement new education and outreach programs.

EO-3: Support current functions and activities of the Sanctuary's volunteer program.

NRP-3: Obtain and share relevant information on Sanctuary uses, use

EO-4: Provide additional opportunities for volunteer participation in Sanctuary activities and events.

Research and Monitoring	RM-1: Characterize and monitor the central North Pacific stock of
	humpback whales.
	RM-2: Characterize and monitor the habitat and behavior of humpback
	whales including the natural and anthropogenic factors affecting them.
	RM-3: Improve the administration of research projects.
	RM-4: Enhance communications among researchers, between re-
	searchers and resource managers, and between researchers and the

general public.

CRE-1: Conduct and facilitate Native Hawaiian events and traditions.
CRE-2: Nurture increased public awareness and appreciation of

traditional Hawaiian values and practices related to ocean use.

Administration AD-1: Continue and enhance Federal-State co-management of the

AD-2: Establish agreements for coordination among agencies and organizations relevant to Sanctuary management to better protect humpback whales and their habitat.

AD-3: Enhance opportunities for Sanctuary Advisory Council participation in planning, education, research, and other appropriate activities.

AD-4: Enhance the staffing and personnel resources of the Sanctuary.

AD-5: Augment the physical infrastructure of the Sanctuary.



Introduction



The Hawaiian Islands Humpback Whale National Marine Sanctuary (Figure 1) was Congressionally designated by the Hawaiian Islands National Marine Sanctuary Act (HINMSA) on November 4, 1992 (Subtitle C of Public Law 102-587, the Oceans Act of 1992).

At the time of designation, the National Oceanic and Atmospheric Administration (NOAA) made a commitment to the State of Hawai'i that five years after the management plan and regulations had become effective (June 1997), NOAA, in consultation with the State of Hawai'i, would evaluate the progress made toward implementing the management plan, regulations, and goals for the Sanctuary. NOAA also agreed that after the evaluation was complete, NOAA would then resubmit the management plan and regulations in their entirety, as far as they effect State waters, to the Governor for his approval. This revised management plan is the result of the five-year evaluation and has been submitted to the Governor.

Sanctuary Purposes

Section 2304 of the HINMSA establishes the Sanctuary's purposes as follows:

- to protect humpback whales and their habitat within the Sanctuary;
- to educate and interpret for the public the relationship of humpback whales to the Hawaiian Islands marine environment:
- to manage human uses of the Sanctuary consistent with the HINMSA and National Marine Sanctuaries Act (NMSA); and
- to provide for the identification of marine resources and ecosystems of national significance for possible inclusion in the Sanctuary.

These purposes are consistent with the overall goals and objectives of the National Marine Sanctuary Program (NMSP), which are to:

- enhance resource protection through comprehensive and coordinated conservation and management;
- maintain the natural biological communities in Sanctuaries, and to protect and, where appropriate, restore and enhance natural habitats, populations, and ecological processes.
- support, promote, and coordinate scientific research on, and monitoring of, site-specific marine resources:
- enhance public awareness, understanding, appreciation, and wise use of the marine environment;
- facilitate to the extent compatible with the primary objective of resource protection, public and private uses of national marine sanctuaries.

Purposes of the Management Plan

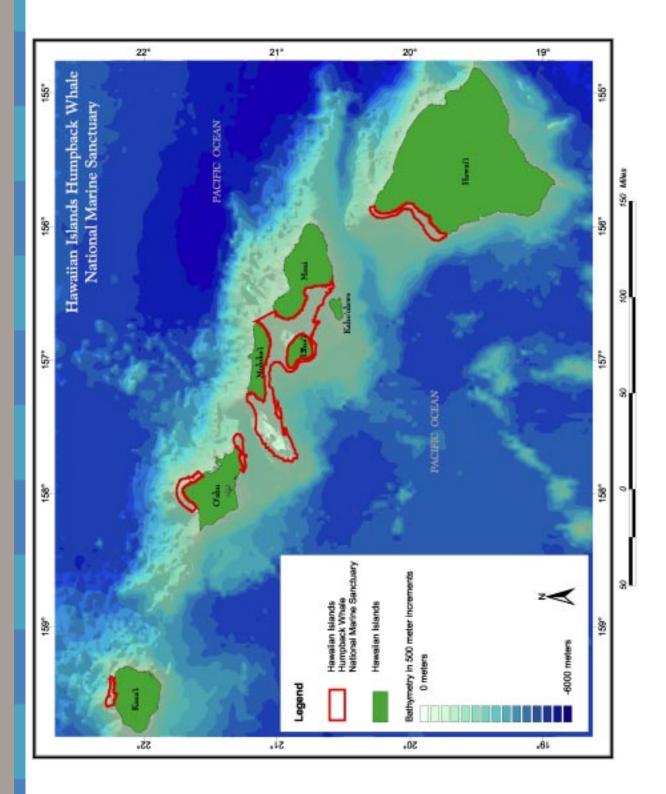
In addition to designation of the Sanctuary, Section 2306 of the HINMSA required that NOAA prepare, in consultation with interested persons and appropriate Federal, State, and local authorities, a comprehensive management plan and implementing Sanctuary regulations, in accordance with the NMSA, to achieve the purposes and objectives of the Sanctuary.







Figure 1: Hawaiian Islands Humpback Whale National Marine Sanctuary





Introduction

Section 2306(a) of HINMSA, states that the management plan shall:

- facilitate all public and private uses of the Sanctuary (including uses of Hawaiian natives customarily and traditionally exercised for subsistence, cultural, and religious purposes) consistent with the primary objective of the protection of humpback whales and their habitat;
- set forth the allocation of Federal and State enforcement responsibilities, as jointly agreed by the Secretary and the State of Hawai'i;
- identify research needs and establish a long-term ecological monitoring program with respect to humpback whales and their habitat;
- identify alternative sources of funding needed to fully implement the plan's provisions and supplement appropriations (under section 2307 of this subtitle) and section 313 of the NMSA (16 U.S.C. §1444);
- ensure coordination and cooperation between Sanctuary managers and other Federal, State, and county authorities with jurisdiction within or adjacent to the Sanctuary; and
- promote education among users of the Sanctuary and the general public about conservation of the humpback whales, their habitat, and other marine resources.

Original Management Plan

The specified requirements of the Sanctuary's original management plan were compatible with the overall Sanctuary management concept embodied in the NMSA, and its implementing regulations (15 CFR Part 922), which require that a management plan be prepared for each National Marine Sanctuary. The HINMSA required NOAA to comply with the NMSA in developing the management plan and implementing regulations.

The original management plan defined actions tailored to specific issues affecting the Sanctuary. The plan recognized the need for facilitating human uses of the Sanctuary compatible with the primary purpose of protecting humpback whales and their habitat. Successful implementation of the original management plan required continuing cooperation and coordination among many Federal, State, and county agencies and representatives, as well as private organizations and individuals.

The original management plan was designed to provide guidance for management of the Sanctuary for the first five years of its operation. During this period, management initiatives generally fell into five fundamental program areas: resource protection, research and long-term monitoring, education and outreach, administration, and enforcement. In general, the original management plan:

- focused on Sanctuary goals and objectives, management responsibilities, and guidelines for the resource protection, research, education, and administration programs of the Sanctuary; and
- established an administrative framework which addresses the need for cooperative and coordinating programs and activities with other Federal and State agencies, as well as private organizations and interested citizens to ensure effective management of the Sanctuary.

Sanctuary Regulations

The Sanctuary regulations include the following prohibitions:

Approaching, or causing a vessel or other object to approach, within the Sanctuary, by any means, within 100 yards of any humpback whale except as authorized under the MMPA, as amended, 16 U.S.C. 1361 et seq., and the ESA, as amended, 16 U.S.C. 1531 et seq.;







- Operating any aircraft above the Sanctuary within 1,000 feet of any humpback whale except when
 in any designated flight corridor for takeoff or landing from an airport or runway or as authorized
 under the MMPA and the ESA;
- Taking any humpback whale in the Sanctuary except as authorized under the MMPA and the ESA;
 and
- Possessing within the Sanctuary (regardless of where taken) any living or dead humpback whale or part thereof taken in violation of the MMPA or the ESA.

Revised Management Plan

In reviewing the original management plan in preparation for the five-year review by the NMSP and the State of Hawai'i, it became clear that although a completely revised management plan was not necessary, some restructuring of the management plan would be beneficial to the Sanctuary. First, the Sanctuary has accomplished many of the tasks outlined for it in the original management plan (see following discussion in the State of the Sanctuary section) that could be removed. Second, the goals and objectives originally outlined for the Sanctuary needed to be revised to reflect the current and future direction of the Sanctuary, and the recent amendment of the NMSA. Finally, the structure of the original management plan did not meet the formats developed in the last three years for ongoing management plan reviews of other Sanctuaries. The NMSP and the State of Hawai'i decided to revise certain parts of the original management plan and reformat the entire document during the five-year review.

The draft revised management plan was prepared by NOAA and the State of Hawai'i, and released for public review on March 19, 2002, for approximately 60 days (67 FR 12525). During that time, seven public meetings were held in the main Hawaiian Islands, on O'ahu, Kaua'i, Maui, two on Hawai'i (the Big Island), Lāna'i, and Moloka'i. Approximately 70 people attended and over 300 comments were collected. During the same time period, approximately 40 written comments were received by email and regular mail. A synthesis of comments is available on the Sanctuary's website at www.hihwnms.nos.noaa.gov/planreview/ (please see Appendix 4 for a response to the comments received).

In response to staff, SAC, and public comments, a number of changes were made to produce this final revised management plan. A description detailing the public meeting process for the five-year management plan review has been added. In response to the overwhelming public comments received to protect additional resources and species, the process to include new species has been accelerated and better detailed. In addition, a new activity relating to the development of a cultural protocol to respond to strandings has been incorporated. Two new appendices, the Final Rule as published in the *Federal Register* on November 19, 1999, detailing the Sanctuary's boundaries and regulations, and the response to comments received, have been incorporated as Appendices 2 and 4 respectively. The remainder of changes were minor and include such information as updating partner lists and the inclusion of cost estimates.

The revised management plan does not contain any regulatory or boundary changes.



Summary of the State of the Sanctuary Report

Introduction

This section summarizes the *State of the Sanctuary Report* (NOAA, 2001). The report assesses the Sanctuary's performance in six key areas of activity, fundamental to the Sanctuary's primary goal of resource protection.

The Sanctuary and Education/Outreach

The Sanctuary uses education to promote ocean stewardship in the community. Since designation, it has developed many products and activities aimed at providing individuals with information necessary to make decisions that will effectively contribute to protecting humpback whales and their habitat in Hawaiian waters.

Sanctuary education emphasizes three main themes: 1) understanding humpback whale biology and behavior, and developing an appreciation for scientific and cultural perspectives that explain the history and significance of the humpback species; 2) awareness of the NMSP and its potential for providing the community with opportunities for taking action to increase marine conservation; and 3) understanding impacts resulting from human and natural causes on marine resources within the Hawaiian humpback whale habitat.

To further education, the Sanctuary has cultivated its headquarters on Maui as a center where ideas on resource protection can be discussed and explored on an informal basis. Located on the beach in a popular tourist town, the headquarters is a scenic magnet for visitors from around the world. The Sanctuary has enhanced the setting's natural assets by installing interpretive signage, cultivating a coastal garden of Native Hawaiian plants, and facilitating shoreline observation of humpbacks during the winter season with a viewing deck and view scopes.

The headquarters has heightened the visibility of Sanctuary programs and provided both a "living class-room" and a nexus for volunteers from the neighborhood community. In a joint undertaking of staff and volunteers, a Sanctuary Education Center was designed and developed and became fully operational on the grounds of the headquarters in 1998. The center houses displays, videos, and books on the cultural and biological significance of the humpback whale and provides education in several aspects of the Hawaiian marine environment. The center is also a dissemination point for free brochures on NOAA and the NMSP. A core group of nearly 75 volunteers has undergone training and shares the duties of operating the center and providing informal docent services for visitors upon request.

In fiscal year 2001, more than 5,400 people visited the Sanctuary headquarters, with the peak in visitor numbers occurring during the winter "whale season." The ever-increasing flow of visitors prompted the hiring of a part-time employee to manage the Sanctuary Education Center during regularly scheduled weekday hours. The center is also the location for a monthly lecture series, offering presentations by experts on themes relating to cultural and scientific perspectives on the humpback whales and marine research. The cordial atmosphere of Sanctuary headquarters and the wide range of educational and entertaining activities it offers continue to rank as an unequivocal achievement that has enabled the Sanctuary to establish its identity as a source of marine education in the community.







To assist in developing curricula on humpback whales within Hawai'i's schools, the Sanctuary has fortified partnerships with several educational institutions and provided teaching tools for instruction in cetacean science and marine stewardship. Examples of productive collaborations include the Sanctuary's partnership with the Hawai'i Department of Education's interactive science television series, entitled *Kid Science*, the creation of positions for college interns under the University of Hawai'i's Marine Option Program, sponsorship of Careers on the Water Day with Farrington High School, and the installation of a permanent exhibit on humpback whale biology in the Kaua'i Children's Museum. In an effort to step up outreach throughout the Islands, the Sanctuary staff has participated in many public events such as fairs that provide a venue for staff members to interact with diverse groups of people.

The Sanctuary has also found it productive to establish key "signature" events where Sanctuary education is clearly a focus of activity. The Kaua'i Family Ocean Fair, which receives additional sponsorship from the Kīlauea Point National Wildlife Refuge, mixes instruction and lectures with ocean-themed opportunities for recreation and entertainment. Last year, it attracted more than 3,500 visitors. The Sanctuary Ocean Count last year also proved to be quite popular, enlisting the help of more than 1,000 volunteers to participate in an annual census of humpback whales from shoreline locations throughout the State. Both events have received significant levels of local and national news media coverage, commending the Sanctuary for increasing yearly participation of a diverse island community in ocean education activities.

To enhance understanding of Sanctuary goals and ensure greater participation in programs, the Sanctuary has turned increasingly to news and entertainment media. The agency hired a Public Outreach Coordinator, who has secured coverage for the Sanctuary in print and broadcast media and has enhanced the Sanctuary's relations with numerous writers and reporters. Other media-oriented informational projects include a 20-minute video segment about the Sanctuary aired during incoming flights to Hawai'i on Hawaiian Airlines; a brochure on the Maui Sanctuary site; a general press kit; a public service announcement for television broadcast; and regular press releases on Sanctuary events. In another very important move to engage and inform the public, the Sanctuary, in consultation with NOAA, established a website with comprehensive news and information on resource protection, humpback whales, the Hawaiian habitat, research and development, and the history and future plans of the NMSP.

The Sanctuary and Native Hawaiian Culture

Ocean stewardship is deeply embedded in Native Hawaiian culture. Early Hawaiians developed techniques to manage their ocean resources without depleting them. The Sanctuary has made it a goal to facilitate Native Hawaiian traditional uses of the humpback whale habitat which promise to bolster the primary goals of resource protection. Many of the traditional practices, handed down through generations, survive today. Others, however, were eclipsed at the end of the Hawaiian Kingdom and some even disappeared under the incursion of Western culture. A revival of Hawaiian oceanic traditions is currently underway as part of a broader movement of Hawaiian cultural revitalization. The Sanctuary bolsters this movement by educating the public about the relevance traditional marine practices have in today's world.



With the help of Native Hawaiian consultants including a Sanctuary Advisory Council representative from the Office of Hawaiian Affairs, the Sanctuary took the step of researching customs that appear to have contributed to early Hawaiians' harmonious relationship with the ocean. This information in-

cludes the following themes: (1) early Hawaiian success with fishpond aquaculture; (2) Hawaiian invention of the *ahupua'a* a system of social and political order based mountain-to-shore management of natural resources; and (3) Hawaiian spiritual or religious reverence for several marine organisms as ancestral quardians known as 'aumākua.

NATIONAL MARINE SANCTUARIES IN

In order to take a more proactive role in highlighting the value of Native Hawaiian ocean stewardship, the Sanctuary hired a Hawaiian Cultural Educator in 1999. This individual, a former Sanctuary intern, made a major contribution to elucidating the cultural value of Sanctuary resources in a report on the Native Hawaiian significance of the whale, identified in Hawaiian language as the *koholā*. A major achievement of the Hawaiian Cultural Educator consisted of synthesizing a large body of research into a brochure *The Cultural Importance of Whales in Hawai'i* and by incorporating the information in public lectures and a tabletop display created for use at community events such as educational fairs.

Further accomplishments underlining the Sanctuary's commitment to preserving the traditional cultural value of natural resources include: 1) field presentations involving on-site cultural interpretation of marine resources within Sanctuary boundaries; 2) establishment of partnerships with Native Hawaiian organizations in the community; 3) providing curriculum content for teaching Native Hawaiian perspectives on the humpback whale and marine stewardship; 4) incorporating Native Hawaiian protocols into Sanctuary presentations; and 5) producing Native Hawaiian language translations of Sanctuary educational materials.

The Sanctuary and Enforcement

Federal and State agencies have authority to enforce regulations arising from the Marine Mammal Protection Act and the Endangered Species Act, which list humpbacks as an endangered species and provide the animals with special legal protection. The Sanctuary does not directly conduct enforcement activities, but it provides several forms of support for the agencies that do so on the Sanctuary's behalf.

In a noteworthy measure, the Sanctuary has for five years provided training, salary, and staff support for a NOAA enforcement officer, based at Sanctuary headquarters for the duration of whale season. The officer receives and investigates complaints of possible instances of whale harassment. The Sanctuary shares with NOAA Enforcement and other agencies an interest in maintaining enforcement of the Federal "approach regulation," which requires that people stay at least 100 yards away from humpback whales unless a humpback whale research permit has been obtained. The Sanctuary has worked to reduce the likelihood that this regulation will be violated by cooperating in public education campaigns that describe the negative impacts to whales resulting from human pursuit and harassment. Toward this end, the Sanctuary has jointly sponsored an annual Ocean Users' Workshop on four islands and the publication of the Ocean Users' Handbook and a regulation reference card for boaters. Additionally, the Sanctuary has supported NOAA Fisheries in their production of a local brochure for the Watchable Wildlife Campaign, which encourages observation of wildlife in a non-intrusive manner.

In another arena of enforcement, the Sanctuary has fortified ties with agencies that have direct jurisdiction in preventing or remediating water quality and seabed degradation. These agencies include the United States Coast Guard, the Environmental Protection Agency, the Hawai'i Division of Conservation and Resources Enforcement, and the Hawai'i Department of Health.





The Sanctuary and Inter-Agency Cooperation

The more that is learned about the dynamic and interrelated nature of marine ecosystems, the greater the perceived need is to govern the ocean with a cooperative approach that minimizes the constraints of traditional sectoral boundaries of management responsibility and jurisdiction. The Sanctuary implements a collaborative approach to management with the intent of increasing flexibility, mobilizing efficient use of limited staff resources, reducing duplicative services, and increasing opportunities for broad and effective citizen participation.

In 1997, NOAA and the State of Hawai'i signed an Intergovernmental Compact of Agreement establishing the framework for an administrative partnership. In accordance with the agreement, the Sanctuary Federal manager routinely consults with the State co-manager, based in the Hawai'i Department of Land and Natural Resources, in the implementation of comprehensive and coordinated management. A Memorandum of Understanding further detailing this co-management arrangement also appears in Appendix 1.

The Sanctuary has also made significant strides in a constructing a collaborative management framework by increasing the role of the Sanctuary Advisory Council (SAC). A Sanctuary Advisory Coordinator has been hired to coordinate input and training for the 24-member body that represents diverse ocean interests in Sanctuary management. Since 1997, the SAC has established subcommittees made up of members that bring technical expertise to the respective areas of research, education, and conservation—fundamental to the Sanctuary's primary mission in resource protection.

The Sanctuary and Social Impacts

The Sanctuary assumes an important role in supporting multiple uses of coastal waters in the nation's only island State, where easy access to the ocean is as vital to the well-being of humans as conservation measures are to the continued recovery of humpback whales. Transportation, tourism, commerce, culture, and recreation are inexorably tied to ocean use in Hawai'i. The Sanctuary has taken steps to cultivate positive social and economic impacts in the community by monitoring negative and positive impacts of ongoing ocean uses and implementing education programs to help ocean users eliminate unacceptable behavior and thus increase their contribution to marine stewardship.

The Sanctuary has implemented a policy of working closely with the whalewatch industry, which not only constitutes an obvious impact on the whale habitat but also comprises the fastest growing sector of Hawai'i's ocean industry. In one noteworthy move, the Sanctuary supported a study on the economic impact of humpback whales in Hawai'i (NOAA 2000). The research estimated direct commercial revenues from the whalewatching industry to be worth an annual amount of \$11 million. This information, made available to media, lawmakers, and the general public, underlined a positive material benefit of the whalewatch industry and gave credence to the concept that humpback recovery should be encouraged because it is, at minimum, an economic asset to the local community.

Summary of the State of the Sanctuary Report

The economic success of the whalewatch industry has also prompted the Sanctuary to institute precautionary measures that reduce the potential for increased whalewatch vessel traffic to hinder other ocean uses or cause harm to natural resources. Among these efforts, the Sanctuary has done the following: (1) established a Sanctuary Advisory Council position for a whalewatch industry representative; (2) designed the annual *Ocean Users'Workshop* to target the needs of the whalewatch industry; and (3) implemented plans for a workshop that will identify ways to reduce collisions between whales and boats in coastal traffic.



The development of the Sanctuary Volunteer Program ranks as another major achievement in community impact and social currency. The Sanctuary has a staff Volunteer Coordinator who recruits and trains volunteers, apprising them of NOAA policies and Sanctuary goals. It's estimated that a total of 4,500 hours of *pro bono* services have been donated to the Sanctuary. A core of approximately 75 volunteers maintains regular weekly hours at the Sanctuary, contributing in areas ranging from office chores to the design of educational displays. In anecdotal reports, volunteers credit the Sanctuary for enriching their knowledge and interaction with the ocean. To put it another way, volunteerism at the Sanctuary embodies a win-win situation and increases a desirable social impact of the Sanctuary program.

The Sanctuary and Research

Though scientists have made great strides in understanding cetaceans in the last few decades, they are only beginning to effectively understand many aspects of humpback behavior and biology. The Sanctuary makes a great effort to support the continuation of humpback research because it attempts to answer questions about the animal's recovery status and the need to maintain or redouble conservation efforts.

The Sanctuary's major contribution to research involves annual awards of grants to teams of scientists engaged in the study of Hawai'i's humpbacks. Between 1993 and 1998, the Sanctuary has contributed funding that has helped in the completion of 22 humpback whale research projects in Hawaiian waters. The Sanctuary also takes an active role in disseminating the findings of research projects to other agencies and to the general public. As a requirement for funding, the Sanctuary asks researchers to produce a manuscript suitable for publication in a technical or peer review journal. In the effort to further the frontiers of cetacean science through the exchange of meaningful ideas, the Sanctuary has assisted in planning efforts for a whale research conference on Maui and also served as the lead sponsor of the 2000 International Marine Debris Conference in Honolulu.

The Sanctuary also encourages several other streams of research. An outstanding example of the Sanctuary's collaborative and multi-disciplinary approach to education and research can be seen in the Hawai'i visit of the Sustainable Seas Expedition. The Sanctuary took an active role in ensuring that the local community could capitalize on this NOAA-led project of ocean exploration and technological discovery.





This page intentionally left blank.